

Ulrich STEINBRENNER et al, SN 10/030,634
This Amdt. filed April 23, 2004
Responsive to the OA of Feb. 11, 2004

REMARKS

Claims 18-20, 22-48 are now in this application.

By this amendment the limitations of former claim 21 have been incorporated into each of the independent claims 18, 22, 34 and 42, and claim 21 has been canceled.

In the Office action of February 11, 2004 the examiner rejected claims 18, 20, 22-23, 26-27, 34-35, 38-40, 42 and 44 as anticipated by Tarr et al. This rejection is not tenable because each of the independent claims, 18, 22, 34 and 42 recite that there is one fuel circuit which meters fuel into all of the combustion chambers. This one fuel circuit includes all of the high-pressure pumps 14 and 15, and only one pressure regulating circuit for all of the high-pressure pumps.

In contrast to this, Tarr et al has two separate fuel circuits. These fuel circuits of Tarr et al **are entirely separate** from each other.

To make his rejection, the examiner has mistakenly read element 153 of Tarr et al to be a conduit which connects the two rails 20 and 24. This reading of Tarr et al is not accurate. In column 14 lines 1-10 Tarr et al state that element 151 is a differential pressure sensor and that element 153 is a pressure sensing passage. Element 153 of Tarr et al is **not** a pressure equalizing passage.

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In furtherance of this, in column 10, lines 30-35, Tarr et al clearly state that rails 20 and 24 are fluidically separate from each other. Moreover, at the bottom of column 13 Tarr et al recite separate pressure sensors 147 and 149. If the two rails were connected, there would be no reason to have two separate pressure sensors.

Clearly, as shown in figure 1 of Tarr et al, the three injectors 26 on the left side of figure 1 operate from one fuel system, and the three injectors on the right side of figure 1 operate from a separate fuel system.

Further, the claims have been modified so that they now define even further over the reference to Tarr et al. The limitations from claim 21 have been added to each of claims 18, 22, 34 and 42.

Thus, in addition to the above noted difference between the structure of the claims and the structure of Tarr et al, the claims now also state that the high-pressure pumps are triggered with the same triggering time signal. This again adds to the reasons why the reference to Tarr et al does not make a valid rejection of these claims under 35 USC 102, because Tarr et al does not teach means to have the two pumps triggered by the same time signal.

Further, there are no references of record which supply the deficiencies of Tarr et al as noted above. In particular, the reference to Isozumi et al does not teach this difference. In this regard, figure 7 is pointed out, wherein two separate signals "D" and "F" are displayed. According to column 9 line 45 of Isozumi et al, signal "D" is used as

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a control signal for solenoid 9 and thus pump 7, while in line 51 signal "F" is said to control valve 9A, and thus pump 7A.

The two signals "D" and "F" are shown to have no particular relationship to each other, and are clearly not the same signal as recited by the claims.

For all of the reasons pointed out above, it is submitted that claims 18, 22, 34 and 42 each defines over the prior art of record and should be allowed. In addition, each of the claims which depends on these claims should also be allowed. Thus, all of the claims in the application are felt to define patentably over the prior art of record and should be allowed.

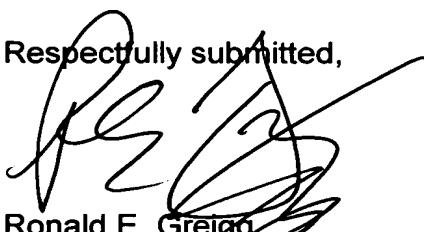
With respect to the examiner's requirement for election of species, since all of the independent claims are generic and allowable, it is requested that the examiner reinstate and allow claims 19, 24, 25, 30, 31, 36, 37, 41, 43 and 46 along with the generic claims on which they depend.

Filed on even date herewith is a request to have the WIPO references from the PCT Search Report published on the bibliographic page of the patent which should issue from this application.

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Entry of this and amendment, and allowance of the claims are respectfully solicited.

Respectfully submitted,



Ronald E. Greigg
Attorney for Applicants
Registration No. 31,517
Customer No. 002119

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Greigg & Greigg, P.L.L.C.
1423 Powhatan Street
Unit One
Alexandria, VA 22314
Tel. (703) 838-5500
Fax. (703) 838-5554
REG/SLS/clt

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